

REGULAR CITY COUNCIL MEETING  
SEPTEMBER 23, 2002

PRESENT

Gayle Bunker  
Wesley Bloomfield  
Bruce Curtis  
Robert Droubay  
Margaret Dutson  
Glen Swalberg

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

None

ALSO PRESENT

Richard Waddingham  
Alan Riding  
Judy Baker  
Gregory Jay Schafer  
Ken Clark  
Randy Morris  
Carole Leatham  
Kathy Walker  
Sue Archibald  
Grant Nielson  
Rendon Hughes  
Phil Sabey  
Sid Young

City Attorney  
Public Works Director  
City Treasurer  
City Recorder  
Asst. Public Works Director  
Parks Dept. Employee  
Parks Dept. Employee  
Millard County Chronicle/Progress  
City Resident  
City Resident  
City Resident  
Planning & Zoning Commission Chairman

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place and agenda had been posted at the City Building, had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Jay Schafer acted as secretary.

Council Member Bruce Curtis offered an invocation, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held August 26, 2002 were presented for consideration and approval. Council Member Robert Droubay MOVED to approve the minutes of the Public Hearing held August 26, 2002, as presented. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held August 26, 2002 were presented for consideration and approval. Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held August 26, 2002, as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Public Hearing held September 9, 2002 were presented for consideration and approval. Council Member Wesley Bloomfield MOVED to approve the minutes of the Public Hearing held September 9, 2002, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held September 9, 2002 were presented for consideration and approval. Council Member Robert Droubay MOVED to approve the minutes of the Regular City Council Meeting held September 9, 2002, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Council Member Wesley Bloomfield MOVED to approve the accounts payable, dated September 23, 2002, in the amount of \$73,990.90. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

RCCM 09-23-02

Page 3

CITY ATTORNEY RICHARD WADDINGHAM: STREET VACATION FOR 33 FOOT WIDE ALLEY WAY INTERSECTION PROPERTY LOCATED AT APPROXIMATELY 407 SOUTH 100 WEST

Mayor Bunker reported that City Attorney Waddingham continues to wait for a legal description in order to prepare necessary documents for this item. Council Member Wesley Bloomfield MOVED to table discussion of this item until a legal description has been received by City Attorney Waddingham. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

MAYOR GAYLE BUNKER: ACKNOWLEDGMENT OF CITY PERSONNEL

Mayor Bunker noted that this item is on the agenda in order to give special recognition to two city employees who have done an outstanding job this year. Mayor Bunker invited Randy Morris and Carole Leatham to come forward. Mayor Bunker explained that Randy and Carole have done a wonderful job of making our City Park a place of beauty for all to enjoy. He then presented each with a "Thank You" letter, a Gift Certificate for dinner and a framed copy of a photo of our beautiful City Park.

COUNCIL MEMBER ROBERT DROUBAY: REVISED SUBDIVISION PLAT: LOTS 5 & 6, PLAT "N" AND LOT 4, PLAT "L", PENDRAY ESTATES SUBDIVISION

Council Member Robert Droubay explained that the Planning & Zoning Commission had met with Grant Nielson regarding his proposed revision to Plats "L" and "N" of Pendray Estates Subdivision. Mr. Nielson proposes to revise Lots 5&6 in Plat "N" and Lot 4 in Plat "L" by incorporating an undeveloped lot between Lot 5, Plat "N" and Lot 4, Plat "L" in order to establish three larger lots. The Planning & Zoning Commission has recommended that the Council approve the proposed revision of Lots 5 & 6 in Plat "N" and Lot 4 in Plat "L", as presented. Council Member Droubay also noted that curb, gutter and sidewalks had been installed, as well as street improvements, except asphalt, which is scheduled to be done on September 24, 2002.

City Attorney Richard Waddingham advised the Council that amendment of an existing plat requires a public hearing. Zoning Officer Alan Riding asked if a public hearing was required inasmuch as all property owners have signed a petition agreeing to the amended plats. City Attorney Waddingham asked permission to temporarily table discussion of this matter to allow him a few minutes to review relative statutes. Council Member Glen Swalberg MOVED to table discussion of this matter to allow City Attorney Waddingham to research state statutes. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

RCCM 09-23-02

Page 4

Upon City Attorney Waddingham's return to the meeting, he asked Public Works Director Riding whether notice had been sent to property owners living within 300 feet of the plats proposed for amendment. Public Works Director Riding stated that the owners within 300 feet of the plats have given their written consent. Attorney Waddingham stated that if the property owners living within 300 feet of the amended plats, together with those property owners of plats "L" and "N", had given their written consent, the amended plats could be approved.

Council Member Wesley Bloomfield MOVED to approve the final revised subdivision plats for Lots 5 & 6, Plat "N" and Lot 4, Plat "L", Pendray Estates Subdivision, as proposed, subject to obtaining the required signatures and fulfilling all conditions of the Subdivision Ordinance. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: PROPOSED ZONE CHANGE FROM MULTIPLE FAMILY RESIDENTIAL (R-4) TO CENTRAL BUSINESS (C-B) ON PROPERTY LOCATED AT APPROXIMATELY 98 WEST MAIN STREET

Council Member Robert Droubay advised the Council that the property involved in this proposed zone change is property which was previously zoned Central Business (C-B) but was changed to Multiple Family Residential (R-4) to accommodate a family owning the adjacent business to establish a residence on the property. The residence was never established and this parcel is the only property within the half block off of Main Street which is not zoned Central Business (C-B). It was the recommendation that the zoning on this parcel be changed to match zoning along the balance of Main Street, which is Central Business (C-B).

Council Member Robert Droubay MOVED to set a public hearing on Monday, October 28, 2002, at 6:50 p.m., for the purpose of receiving public comment regarding a proposed zone change from Multiple Family Residential (R-4) to Central Business (C-B) on property located at approximately 98 West Main Street. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: DELTA MUNICIPAL AIRPORT PROJECT - ACCEPTANCE OF AIRPORT DEVELOPMENT GROUP BID, NOTICE OF AWARD AND NOTICE TO PROCEED

Public Works Director Alan Riding advised the Council that the bid from Airport Development Group had been accepted for the airport improvement project and requested approval of the Council to issue the Notice of Award and the Notice to Proceed. Council Member Wesley Bloomfield MOVED to accept the bid of Intermountain Slurry Seal, Inc., in the amount of \$174,744 for the

RCCM 09-23-02

Page 5

airport improvement project. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: CONSTITUTION WEEK RATIFICATION OF EXPENDITURE

Mayor Bunker reminded the Council that, at the previous City Council meeting, an expenditure of \$100 was approved toward payment for the sound system at a Constitution Week program in the City Park. Inasmuch as that expenditure was not listed on the agenda for the previous meeting, the expenditure must be ratified at this time. Council Member Glen Swalberg MOVED to ratify expenditure of \$100 toward payment for the sound system to be used at a Constitution Week program, as approved at the Regular City Council Meeting held September 9, 2002. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: DRINKING WATER BOARD APPLICATION FOR FUNDING FOR WEST MILLARD WATER AGENCY RATIFICATION OF APPROVAL TO SIGN

Mayor Bunker stated that the approval for signing the Drinking Water Board Application for Funding for West Millard Water Agency, which was given at the previous meeting of the City Council, needs to be ratified at this meeting. Council Member Wesley Bloomfield MOVED to ratify the approval for Mayor Bunker to sign the Drinking Water Board Application for Funding for the West Millard Water Agency, as approved at the Regular City Council Meeting held September 9, 2002. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: SUNRISE ENGINEERING REQUEST FOR FINAL PAYMENT ON DELTA CULINARY WATER PROJECT (200 NORTH STREET)

Public Works Director Alan Riding advised the Council that the water project is within just a few hours of being completed and, with the next regular City Council meeting scheduled for October 28<sup>th</sup>, he requested approval to make final payment on the project, upon completion. There is currently some curb, gutter and asphalt work to be completed. Council Member Glen Swalberg MOVED to approve final payment, in the amount of \$41,076.74, on the Delta Culinary Water Project, subject to completion of the project to the satisfaction of the Delta City Public Works Director, and that payment be held until the project is completed. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

SIDNEY L. YOUNG: MANUFACTURING PLANT

RCCM 09-23-02

Page 6

Mr. Young addressed the Council regarding a note he had seen on the Delta City web site inviting industrial inquiry. Mr. Young questioned what types of industrial development are being sought and distributed materials to the Council regarding a project he has been working on for several years which he calls a "therapeutic seat cushion." Mr. Young exhibited a prototype seat cushion, explaining that he has some changes to make prior to proceeding with the project.

The seat cushion contains air chambers which inflate and deflate alternately to provide a massaging action to the user. Mr. Young explained his project to the Council, defining the need, market, and the product. In addition, he outlined needs of a manufacturing plant to produce the seat cushions and the number of jobs and expenses involved with manufacturing. Mr. Young intends to proceed with obtaining a manufacturing plant to produce the seat cushions. Mr. Young would like Delta City to consider his proposal for a manufacturing plant and, if interested, provide a building which could be used for manufacturing this product. Mayor Bunker advised Mr. Young that Delta City is not at the point of developing an industrial park at this time but felt that this matter should be discussed further.

#### COUNCIL MEMBER GLEN SWALBERG: APPOINTMENT OF LIBRARY BOARD MEMBERS

Council Member Glen Swalberg proposed that Rhonda Pace be appointed to the Library Board to replace Jane Beckwith and that Rose Ann Young be reappointed to the Library Board. Mrs. Young was previously appointed to fulfill a term vacated by Holly Cook. Council Member Glen Swalberg MOVED to appoint Rhonda Pace and Rose Ann Young as Library Board Members for a term of five years. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### CITY RECORDER GREGORY JAY SCHAFER: DELTA CITY EMPLOYEE CHRISTMAS PARTY

City Recorder Greg Schafer reported that the M. E. Bird Center is available for an employee Christmas Party on December 6<sup>th</sup> or 7<sup>th</sup> and the caterer which was used last year is available on either December 6<sup>th</sup> or 7<sup>th</sup>. City Treasurer Judy Baker noted the Intermountain Power Service Corp. Christmas party is scheduled for December 6<sup>th</sup>. Council Members suggested that other caterers be given the opportunity to cater the party. Council Member Glen Swalberg MOVED to schedule the Delta City Christmas party on Thursday, December 5, 2002, if the building and a caterer are available on that date. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### OTHER BUSINESS

Council Member Robert Droubay distributed a list of individuals who had been personally invited

RCCM 09-23-02

Page 7

to the Van's Hall Open House to be held Wednesday, September 25<sup>th</sup> from 7:00 to 9:00 p.m. He also invited all those in attendance to attend.

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Council Member Wesley Bloomfield asked if the new roofing material for the City Building had been received. Public Works Director Alan Riding stated that the materials had arrived today and he is waiting to find out when Tom's Roofing will be available to install the materials.

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Public Works Director Alan Riding showed the Council copies of a booklet which Asst. Public Works Director Ken Clark had received at a hazardous materials training which he had attended last week. The Public Works Department would like to prepare something similar to the booklet to be mailed to residents as a part of continuing education on our water source protection program.

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Public Works Director Alan Riding also advised the Council that the bio-science group, which is working on the arsenic removal project, will be in Delta tomorrow to set up their test treatment facilities in order to study the success of their project.

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Mayor Bunker reported that Asst. Public Works Director Ken Clark had attended an emergency management training session in St. George last week and asked Mr. Clark to report on the training. Asst. Public Works Director Clark reported that the seminar, which he and Fire Chief Rodger Scoville attended, was "Hazardous Materials Contingency Planning." The training was very beneficial and he and Fire Chief Scoville are in the process of forming a committee to write an emergency management plan, which they hope to have completed in approximately six months. When the plan is put together, it will be brought before the Council for approval, after which it will be taken to the State for their approval.

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Mayor Bunker reported that the car show, held in the City Park over the past weekend, was very successful. Council Member Robert Droubay suggested that a letter of thanks be sent to Robert and Sherry Harper for the work which they do in organizing the car show. Mayor Bunker noted that he had been out of town over the weekend and Council Member Bloomfield had chosen the winner of the Mayor's Choice Award.

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Mayor Bunker told the Council that he had received a letter from Jane Beckwith thanking him and the Council for recognizing the efforts of those involved in the "Pilgrimage to Topaz."

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Council Member Glen Swalberg reported that he had been asked to open Van's Hall for tours during the weekend of the Car Show. The hall was opened for tours on Friday and Saturday during which approximately eighty Car Show participants attended and donated \$225. In addition, a class reunion was held that same day, with those individuals attending the tour and donating \$150.

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Mayor Bunker stated that he and Mayor Starley, of Fillmore, had met with the Millard County Commissioners regarding the tax rate which has been set for the coming year. The rate has not been changed, however, with depreciation figured in, the result is approximately a \$600,000 reduction in taxes. The Mayors requested that the amount charged for law enforcement be reduced, in an effort to reduce the impact on the cities. Both Mayor Starley and Mayor Bunker are currently obtaining facts and figures and will be meeting with the Commissioners again in two weeks.

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Council Member Margaret Dutson asked if it would be possible to have Santa Claus appear at the City Building during the day prior to the Christmas Light Parade. She felt this would allow some people the opportunity to take their children to see Santa Claus either during the day or after the parade, thus eliminating such long lines at the Fair Building. Mayor Bunker told the Council that he had been asked if the light parade would be held this year. He noted that the parade has dwindled considerably in the last couple of years and felt that we need additional participation in order to continue the parade tradition.

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Mayor Bunker asked City Attorney Waddingham about writing a letter to the property owner on the south side of 93 West Main Street. One of the neighbors had complained about the tall weeds and the fire danger which they present. City Attorney Waddingham will write a letter to the property owners requesting that the weeds be removed.

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Council Member Bruce Curtis reported that there are three Delta volunteer firefighters who work for Delta City. He questioned whether arrangements could be made to allow those firefighters to report to fires during work hours, perhaps on a rotating basis. Mayor Bunker felt that the Council needs to make a determination of how the matter should be handled and give guidance to Public




RCCM 09-23-02


Page 9


Works Director Riding. Council Members felt that at least one firefighter could be allowed to respond to fires, on a rotating basis, and instructed Public Works Director Riding to discuss the matter with the firefighters and work out a schedule for fire response.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn the meeting. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 8:20 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFER, CMC, City Recorder

  
MINUTES APPROVED RCCM 10-28-02